

Please type a plus sign (+) inside this box 22763
U.S.P.T.O.

UTILITY PATENT APPLICATION TRANSMITTAL		Attorney Docket No. END-5265NP									
First Inventor: Randal T. Byrum Title: A METHOD FOR IMPLANTING AN ADJUSTABLE BAND I hereby certify that this correspondence is being deposited today with the United States Post Office Service as Express Mail – Post Office to Addressee in an envelope addressed to: Assistant Commissioner for Patents, Box-Patent Application, Washington, DC 20231. Name: <i>Kimberly M. Moses</i> Date: <i>2-20-04</i> Kimberly M. Moses February 20, 2004											
<small>only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Express Mail Label No. EU923390405US									
APPLICATION ELEMENTS <small>See MPEP Chapter 600 concerning utility patent application contents.</small>		ADDRESS TO: U.S. Patent and Trademark Office 2011 South Clark Place Customer Window Mail Stop: Patent Applications Crystal Plaza Two, Lobby Rm. 1B03 Arlington, Virginia 22202									
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(submit an original and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 11] <i>(Preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> - Descriptive Title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 4]</p> <p>5. Oath or Declaration [Total Pages 3]</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> Executed Copy b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>18. <input type="checkbox"/> If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-Part (CIP) of prior application No.: , filed .</p> <p>Prior application information: Examiner Group Art Unit:</p> <p>For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p> <p>19. CORRESPONDENCE ADDRESS <input checked="" type="checkbox"/> Customer Number or Bar Code Label 000027777 or <input checked="" type="checkbox"/> Correspondence Address below</p> <p>Name: Philip S. Johnson, Esq. Address: Johnson & Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003 USA</p> <p>20. TELEPHONE CONTACT: Please direct all telephone calls or facsimiles to: Dean L. Garner Telephone: (513) 337-8559 Fax: (513) 337-8489</p> <p>21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</p> <table border="1"> <tr> <td>NAME</td> <td>Dean L. Garner</td> <td>Reg. No. 35,877</td> </tr> <tr> <td>SIGNATURE</td> <td colspan="2"></td> </tr> <tr> <td>DATE</td> <td colspan="2">February 20, 2004</td> </tr> </table>			NAME	Dean L. Garner	Reg. No. 35,877	SIGNATURE			DATE	February 20, 2004	
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<i>Complete if Known</i>	
Application Number	
Filing Date	February 20, 2004
First Named Inventor	Randal T. Byrum
Group Art Unit	
Examiner Name	
Attorney Docket Number	END-5265NP

FEE CALCULATION

CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770.00
TOTAL CLAIMS	9 - 3 =	0	x 18.00	\$ 0.00
INDEPENDENT CLAIMS	3 - 3 =	0	x 86.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	X 280.00	
			TOTAL FEES	\$770.00

METHOD OF PAYMENT

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- The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/END-5265NP/DLG. **One Original and 2 copies of this sheet are enclosed.**

SUBMITTED BY:		<i>Complete (if applicable)</i>
Typed or Printed Name	Dean L. Garner	Reg. No. 35,877
Signature		Date: 02/20/04 Deposit Account No. 10-0750